

April 17, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AWARD OF LANDSCAPE AND GROUNDS MAINTENANCE SERVICES
AGREEMENT FOR PUBLIC LIBRARY (AREA 6)
(DISTRICTS 1 and 5) (3-VOTE MATTER)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Make a finding that services can be performed more economically by an independent contractor.
2. Approve and instruct the Chair to sign an agreement with Midori Gardens Landscape Services for a term of three (3) years, with two (2) one-year renewal options and/or six (6) month-to-month extensions, not to exceed a total of six (6) months, at an annual cost of \$35,121 for provision of landscape and grounds maintenance services in the Public Library's Landscape and Grounds Maintenance Area 6. This agreement shall become effective upon your Board's approval or June 1, 2003 whichever is later.
3. Authorize the contractor to proceed with the work in accordance with the specifications, terms, conditions, and requirements of the agreement.
4. Authorize the County Librarian to sign agreement modifications created by increases or decreases in the number of facilities over the term of the agreement, and exercise the renewal options and/or month-to-month extensions under the terms of the agreement at her sole discretion.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This is to recommend that the Board approve the award of a contract for landscape and grounds maintenance services to Midori Gardens Landscape Services (Midori) as part of a continuing effort by the Department to provide the best possible service to the public at the lowest responsible cost. This recommendation is submitted based upon a finding that the provision of landscape and grounds maintenance services for the affected County facilities can be performed more economically by an independent contractor.

The recommended contract award is needed to continue the provision of landscape and grounds maintenance services at twelve (12) libraries located in the Public Library's Landscape and Grounds Maintenance Area 6 (Area 6) as detailed in Attachment A. The current contract will expire on May 31, 2003.

Implementation of Strategic Plan Goals

Approval of the recommended award is consistent with the County's Strategic Plan in the areas of service excellence, fiscal integrity, and organizational effectiveness.

FISCAL IMPACT/FINANCING

The recommended contractor's annual cost of \$35,121 represents a cost savings of \$14,665 (29.46%) over the estimated County cost (including start-up costs) to perform similar services for the first year. These cost savings are calculated based on the Revised Proposition A Contract Cost Format developed by the County Auditor-Controller's guidelines. The proposed contract does not include any cost-of-living increases. The Auditor-Controller has reviewed and approved these calculations.

The cost for this contract will be paid from existing funds included in the Department's operating budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Under the provisions of Section 2.121.250 through Section 2.121.420 of the Los Angeles County Code as amended, proposals were solicited for the provision of landscape services in the Public Library's Area 6. All requirements of County Code Section 2.12.380 have been met and there is no conflict of interest as specified in County Code Section 2.121.295. On final analysis and consideration of an award, the contractor was selected without regard to gender, race, color, creed, or national origin.

This contract is in compliance with the mandatory living wage requirements as set forth in Los Angeles County Code Chapter 2.201 (Living Wage Program). The Department has evaluated and determined that the contractor fully complies with the requirements of the Living Wage Program and the contractor has certified that it will comply with all terms, conditions, and requirements of the County's Living Wage Program and agrees to pay its full-time employees providing County services a living wage. In addition, the contractor agrees to notify and assist its employees with the Federal Earned Income Tax Credit application process and is required and has agreed to consider qualified GAIN/GROW participants for employment openings, and comply with the Jury Duty Ordinance, the Safely Surrender Baby Law and the County's Child Support Compliance Program. The Child Support Services Department has confirmed that the recommended contractor has complied with the requirement to file a Principal Owner Information Form with its office.

The contract includes all currently required provisions and has been properly executed by the contractor. County Counsel has approved this contract as to form.

CONTRACTING PROCESS

On February 4, 2003, proposals were solicited from the Public Library's proposers list, which includes contractors listed on the County's Office of Affirmative Action Compliance Community Business Enterprise (CBE) Database. Advertisements were placed in the Los Angeles Times, The Sentinel, and a chain of bilingual community ethnic newspapers published by The Eastern Group. The solicitation information was also made available to prospective contractors on the Internet through the County Office of Small Business web site. The CBE information is summarized on the attached documents.

The mandatory proposer's conference was held on February 18, 2003. Contractors were informed of the County's Living Wage Program and Contractor Responsibility and Debarment provisions. Three (3) proposals were received by the Public Library on March 6, 2003. One proposal was non-responsive and the Public Library reviewed and evaluated two (2) proposals. Proposals were rated on the following criteria: 1) Proposer's Qualifications; 2) Proposer's Approach to Providing Required Services; and 3) Cost.

The Public Library has reviewed available resources to review and assess the proposed contractor's past performance, history of labor law violations, and any negative experiences with County contracts.

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The State Labor Commissioner's Office reports finding no labor/wage violations. Midori will pay its employees a living wage of not less than \$9.46 per hour. Midori also provides employees with six paid holidays and, on an annual basis, a minimum of five (5) days of regular pay for actual jury service for full-time employees. The Proposition A Contracting – Employee Wages & Benefits form summarizing and comparing the Contractor's wages and benefits to those of the County is attached.

The Department determined, through the Request for Proposals process, that these services can be performed more economically by an independent contractor, and recommends awarding a contract to Midori. The recommended contractor was the highest ranked overall, had the lowest cost, and had the most responsive and responsible proposal. The County Auditor-Controller's office has reviewed and approved the Department's Avoidable Cost Analysis.

IMPACT ON CURRENT SERVICES

Award of this contract will allow the Public Library to continue providing landscape and grounds maintenance services without interruption to the affected library facilities.

CONCLUSION

The landscape and grounds maintenance services provided under the recommended contract are essential to Public Library operations at the affected facilities.

Respectfully submitted,

Margaret Donnellan Todd
County Librarian

MDT:RG:EVT:rm

c: Chief Administrative Office
County Counsel
Executive Office, Board of Supervisors
Auditor-Controller
Office of Affirmative Action Compliance